



## 2025 South Dakota Legislature

# House Bill 1041

JOINT APPROPRIATIONS ENGROSSED

*Introduced by: The Chair of the Committee on Education at the request of the Department of Education*

1 **An Act to revise and repeal certain provisions pertaining to the state library and**  
 2 **State Library Board and to provide an appropriation therefor.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 **Section 1. That § 2-13-12 be AMENDED:**

5 **2-13-12.** In addition to the distribution authorized by § 2-13-7, the Bureau of  
 6 Human Resources and Administration shall deliver to the Supreme Court~~, and~~ and the director  
 7 of the Legislative Research Council~~, and the state library board~~, upon proper requisition  
 8 from time to time, copies of the session laws~~, which may be used in their discretion in~~  
 9 exchange for the statutes, codes, or reports of other states, territories, or countries, or  
 10 for textbooks or other works on law, for the purpose of completing and improving the  
 11 Supreme Court and legislative reference libraries~~, for distribution to public and academic~~  
 12 ~~libraries in this state and for fulfilling the requirements of chapter 14-1A.~~

13 **Section 2. That § 14-1-40 be AMENDED:**

14 **14-1-40.** The policy of the State of South Dakota ~~shall be~~ is that:  
 15 (1) Library services should be available widely throughout the state to bring within  
 16 convenient reach of the people cultural, informational, and educational resources  
 17 essential to the improvement of their quality of life;  
 18 (2) The provision and support of library services should be a necessary function of  
 19 government at all levels;  
 20 (3) The joint exercise of governmental powers under chapter 1-24 ~~shall be~~ is  
 21 encouraged where ~~such~~ joint action will increase the extent of library materials and  
 22 services in a fair and equitable manner~~, through cooperation between units of~~  
 23 government and between and among libraries; and  
 24 (4) Cooperation among and between libraries ~~shall~~ must be encouraged and promoted  
 25 by the state library agency; ~~and~~

1       ~~(5) Library services suitable to support informed decisions by the Legislature and the~~  
2           ~~personnel of government shall be provided by the State Library Agency.~~

3       **Section 3. That § 14-1-44 be AMENDED:**

4           **14-1-44.** The State Library Office shall execute the library policy of the ~~State of~~  
5       ~~South Dakota state~~ and shall:

- 6       (1) Promote adequate library service for all the people of the state;  
7       (2) Supplement the services of libraries throughout the state;  
8       (3) Increase the proficiency of library personnel through provision of in-service and  
9           continuing education programs for library personnel employed in the state;  
10       (4) ~~Provide for the citizens of the state specialized library services and materials not~~  
11           ~~generally appropriate, economical, or available in other libraries of the state;~~  
12       ~~(5) Establish and operate a state publications library distribution program; and~~  
13       ~~(6) Collect and publish annual statistical data of libraries in the state; and~~  
14       (5) Provide Braille and talking book services to make reading resources more generally  
15           accessible.

16       **Section 4. That § 1-45-26 be REPEALED.**

17           ~~The State Library Office of the Division of Library Services includes the State Library~~  
18       ~~Board created by § 14-1-55.~~

19       **Section 5. That § 14-1-45 be REPEALED.**

20           ~~The State Library Office shall provide library service to the Legislature and to the~~  
21       ~~personnel of state government.~~

22       **Section 6. That § 14-1-47 be REPEALED.**

23           ~~The State Library Office shall maintain appropriate collections of library materials~~  
24       ~~to supplement the collections of other libraries in the state and to meet the research and~~  
25       ~~informational needs of the Legislature and the employees of state government.~~

26       **Section 7. That § 14-1-51 be REPEALED.**

27           ~~The State Library Office shall establish and support suitable libraries in the special~~  
28       ~~schools supported in whole or in part by the state, with the consent and subject to any~~  
29       ~~rules and regulations as may be made by the boards responsible for the institutions.~~

1 **Section 8. That § 14-1-55 be REPEALED.**

2 ~~The Governor shall appoint a State Library Board to perform all functions of the~~  
3 ~~former State Library Commission. The board shall consist of six members appointed by~~  
4 ~~the Governor for three year terms. The members may not be of all the same political~~  
5 ~~party. The initial terms of the members of the board shall be set by the Governor in such~~  
6 ~~a manner that no more than two members' terms expire in the same year. One member~~  
7 ~~shall be the executive director of the Board of Regents or the executive director's designee.~~  
8 ~~The members shall represent, as nearly as practical, all geographic areas of the state.~~

9 ~~The terms of members begin on October thirty first of the calendar year in which~~  
10 ~~the Governor appoints the member, unless otherwise designated by the Governor. The~~  
11 ~~appointee's term expires on October thirtieth in the third year of appointment.~~

12 ~~Any member's term ending June 30, 2013, or thereafter is extended to October~~  
13 ~~thirtieth in the year the term is to expire.~~

14 **Section 9. That § 14-1-56 be REPEALED.**

15 ~~The State Library Board shall maintain its office in the State Library at the capital~~  
16 ~~of the state.~~

17 **Section 10. That § 14-1-59 be REPEALED.**

18 ~~The State Library Board is the policy making body of the State Library Office and~~  
19 ~~shall:~~

20 ~~(1) Approve general policies for the State Library;~~

21 ~~(2) Promulgate rules, pursuant to chapter 1-26, under which state library services and~~  
22 ~~materials may be used by citizens and by libraries in the state, under which~~  
23 ~~administration and execution of federal or private funds or programs that may be~~  
24 ~~received by the State Library may be carried out, and under which libraries of the~~  
25 ~~state may have access to systems and networks provided outside the state by the~~  
26 ~~State Library; and~~

27 ~~(3) Adopt a long range plan for the statewide coordination and development of library~~  
28 ~~services.~~

29 **Section 11. That § 14-1-60 be REPEALED.**

30 ~~The State Library Board may:~~

- 1       ~~(1) — Recommend agreements, under such terms and conditions as may be suitable,~~  
2           ~~with any person, any library, any state department, any unit of local government~~  
3           ~~empowered to establish a library, or any library board to provide library services,~~  
4           ~~to extend, improve, or coordinate library services, or to demonstrate appropriate~~  
5           ~~programs of library service;~~
- 6       ~~(2) — Recommend library agreements pursuant to the Interstate Library Compact;~~
- 7       ~~(3) — Appoint any advisory councils it may deem necessary or may find are required for~~  
8           ~~receipt of federal or private funds or programs; and~~
- 9       ~~(4) — Accept gifts of library materials, money, or property for the use of the State Library.~~

10   **Section 12. That § 14-1-64 be REPEALED.**

11           ~~The State Library Board shall exercise the advisory function as defined in~~  
12           ~~subdivision 1-32-1(2) and consistent with § 1-45-4. The state librarian shall perform~~  
13           ~~administrative functions in accordance with the general policies of the State Library Board~~  
14           ~~and the executive branch of government.~~

15   **Section 13. That § 14-1A-2 be REPEALED.**

16           ~~There is created as a section of the State Library, and under the direction of the~~  
17           ~~state librarian, a state publications library distribution program. The program shall~~  
18           ~~promote the distribution and use of state publications in libraries throughout the state.~~  
19           ~~The State Library Board shall promulgate rules pursuant to chapter 1-26 necessary to~~  
20           ~~carry out this chapter.~~

21   **Section 14.** There is appropriated \$100 from the general fund, to the Department of  
22   Education, for operations of the State Library.

23   **Section 15.** The secretary of the Department of Education shall approve vouchers and the  
24   state auditor shall draw warrants to pay expenditures authorized by this Act.

25   **Section 16.** Any amounts appropriated in this Act not lawfully expended or obligated shall  
26   revert in accordance with the procedures prescribed in chapter 4-8.

27   **Section 17.** This Act is effective beginning June 30, 2025.